

SOUTH JORDAN CITY PLANNING COMMISSION

STAFF REPORT

MEETING DATE: AUGUST 26, 2025

FILE OVERVIEW

Item Name	New Two Story Commercial Building Site Plan "Almond Dental Phase 2"
Address	10435 S. 2200 W.
File Number	PLSPR202400093
Applicant	Jordan Dejarnett; Mint Architecture
Property Owner	Jeff Almond; Miners Cove LLC.
Staff Contact	Andrew McDonald, AICP Planner II

PROPERTY OVERVIEW

Total Acreage	0.24		
Subdivision	Minors Cove North; Lot 2		
Current Zoning	<u>C-N (Commercial-Neighborhood)</u>		
Neighboring Properties	<i>Current Zone</i>		<i>Current Land Use</i>
	<i>North</i>	R-1.8 (Residential Single-Family; 1.8 Units per Acre)	Bingham High School
	<i>East & South</i>	C-N R-4 (Residential Single-Family; 4 Units per Acre)	Almond Dental Phase 1, Residential Single-Family
	<i>West</i>	R 1.8, C-N	Residential Single-Family and Wasatch Eye Care

ITEM SUMMARY

The application is for the construction of a new two-story commercial building. The new building, considered phase 2, is proposed on Lot 2 of the Minor Cove North Subdivision (Attachment B). The building has a foundational footprint of 4,935 sf², and will include a total floor area of 9,897 sf² between two levels (Attachment C). The application has unresolved parking issues that concern Staff, the Commission, and the surrounding residents. Staff's recommendation is that the Planning Commission deny the application.



PROPERTY HISTORY

In 2017, the Planning Commission approved the existing 7,209 sf² multi-tenant, single-story building (Phase 1) for a mix of office, medical clinic, and retail use. Phase 2 was meant to be the same. Together, both Phases were to be 12,561 sf². The approved 2017 Site Plan for Phase 1 is included (Attachment D). The parking required for approval was 1 parking stall for every 250 sf² of floor area. This is the average of the two parking ratios applied (1 per 200 sf² for retail/medical clinic uses & 1 per 300 sf² for office use). Both phases together required at least 64 parking stalls. The 64 parking stalls under parked the development at the time, and provided flexibility for future office and retail uses as defined in City Code.

Upon completion of Phase 1 in 2018, the building was occupied with Almond Dental (a medical clinic use) and the Empower Dance Academy Studio (a recreation & assembly use). These businesses still occupy Phase 1. For reasons only known to the Property Owner, Phase 2 was never constructed. The uses established in Phase 1 caused the development to become under parked which consequently limited the future business use potential for Phase 2.

The Planning Commission approved the Preliminary Subdivision Plat to subdivide the property in September 2023. This created two commercial lots. Phase 1 became Lot 1, and Phase 2 became Lot 2.

Although the Standard of Approval for the preliminary plat did not include consideration of parking, sufficient parking to existing and future uses was a prime focus of discussion for the Commission, and one of the biggest concerns raised during the Public Hearing. The approved meeting minutes and Staff Reports are included (Attachment E) for reference.

TIMELINE

- **February 28, 2017:** The Planning Commission approved Phase 1.
- **June 1, 2017:** Phase 1 obtains building permit for construction.
- **August 18, 2018:** Phase 1 completes construction, and granted Certificate of Occupancy.
- **September 12, 2023:** The Planning Commission approved the preliminary subdivision application for Minors Cove North, subdividing the property into 2 Lots.
- **December 12, 2023:** The Planning Commission amended the September 12, 2023 approval.
- **June 13, 2024:** A complete Site Plan application for Phase2 was received for review.



REPORT ANALYSIS

	Phase 1 (Existing Building)	Phase 2 (New Building)
Building Footprint	7,209 sf²	*4,935 sf²
Number of Stories	1	2
Total Floor Area	7,209 sf² <ul style="list-style-type: none"> • Space A (Almond Dental): 3,595 sf² • Space B (Empower Dance): 3,614 sf² 	9,897 sf² <p>Level 1 Total: 4,920 sf²</p> <ul style="list-style-type: none"> • Space A: 4,306 sf² • Level 1 Lobby: 614 sf² <p>Level 2 Total: 4,977 sf²</p> <ul style="list-style-type: none"> • Space B: 4,377 sf² • Level 2 Lobby: 600 sf²
Number of Suites/Units	2 Existing (Designed for 5)	2
**Building Height Maximum Allowed: 35 ft.	18 ft.	30 ft.

*City Code [§ 17.18.030.050\(B8-9\) “Commercial Use Regulations”](#) prohibits medical clinic uses in buildings within the C-N Zone that have building footprints exceeding 5,000 sf².

**City Code [§ 17.60.020.H7 “Commercial Zones Architecture Design Standards”](#)

Parking & Access:

- **Total Parking Stalls:** 64, all on Lot 1/Phase 1
- **Access Points:** 2 Existing, right-in/right-out only in Phase 1.
- **New Access Points:** None proposed. None allowed by the City or by UDOT.
- **Exclusive Parking:** None
- **Shared Parking:** All 64 stalls would need to be shared, No Shared-Parking Agreement has been recorded. Each use/Suite will have its own required parking ratio described in City Code [§ 16.26.040 “Parking Ratios”](#). The most applicable parking ratios for permitted uses are noted below and are based on total floor area:

Office Use = 1 Parking Stall per 300 sf²

Retail Use = 1 Parking Stall per 200 sf²

Medical Clinics & Treatment Use = 1 Parking Stall per 200 sf²

Restaurant Use = 1 Parking Stall per 100 sf²

Recreation & Assembly Use = 1 Parking Stall per 100 sf²



Landscaping: The landscaping plans meet the requirements of City Code [§ 17.60.020.J “Commercial Zones Landscaping Requirements”](#) and City Code [§ 16.30.040 “Outdoor Landscaping Requirements”](#). Lot 2 will be landscaped with the required 50% minimum plant coverage at full maturity.

Lighting: The lighting plan meets the requirements of City Code [§ 17.60.020.K “Lighting Requirements”](#). All new and existing lighting features direct the light down towards the ground, and are shielded to prevent glare into adjacent properties.

FINDINGS AND RECOMMENDATION

Findings:

Uses:

The current zoning (C-N) permits most low impact commercial retail and office uses noted in City Code [§ 17.18.020 “Allowed Uses in C-N Zone”](#), and defined in City Code [§ 17.18.060 “Use Definitions”](#). Both of the uses in Phase 1 (medical clinic and recreation & assembly) are permitted uses in the zone. The Owner has indicated that at least one of these two uses would locate into Phase 2. It is still unclear as to what new businesses/uses may locate into any vacant spaces in either Phase 1 or Phase 2.

Building Height:

Phase 1: From finished grade to the roof line is (18’-6”). The roof extends higher to screen the roof top mechanical equipment from line of sight, and to provide a non-flat roof over a majority of the building. To the highest point, the building is roughly 30’ with the pitched roof projections (See Attachment D). Without these projections, the roof would be flat which is prohibited in the zone.

Phase 2: From finished grade to the roof line/parapet is 30’. The elevation renderings (Attachment C) show the overall height of the building, from finished grade, being 35’. The height between the roofline and the highest peak is considered an architectural projection. These roof features fulfill no structural support requirement; however, they are necessary to meet the architectural requirements of the zone, and to screen the roof top mechanical equipment from line-of-sight.

Signage: The elevation renderings show signage locations; however, final signage will be reviewed separately as part of a Wall Sign Permit via the Building Department, and are subject to the requirements of City Code [§ 16.36 “Sign Ordinance”](#).

The existing monument sign is the only monument sign permitted to be located on any lot within this subdivision. A new monument sign requires a building permit and compliance with City Code [§ 16.36.060 “General Provisions”](#) & [§ 16.36.090 “Monument Signs”](#).



Parking & Access:

The issue of adequate parking within the development has been ongoing, and remains unresolved. Attachment F is a letter Staff provided to the Applicant and Property Owner discussing the expectations of meeting parking requirements, and indicating that Staff cannot recommend approval of the application if it fails to meet the parking requirements applied towards the uses in the development.

Phase 1 presently requires 59 parking stalls of the existing 64 parking stalls within the development (Empower Dance =49; Almond Dental =10). This leaves 5 open parking stalls for new uses/businesses in Phase 2. There is a provision in City Code [§ 16.26.040 "Parking Ratios"](#) that allows a reduction in the minimum number of parking stalls required for the Dance Studio; however, Staff does not consider it an acceptable alternative for this development and does not support its application in this project.

Phase 2 is now designed to be roughly a 4,920 sf², 2-Story, multi-tenant commercial building. This is roughly 432 sf² smaller than originally planned in 2017. Although Phase 2 has a smaller building footprint, the total floor area is now proposed to be roughly 9,897 sf². This increases the planned floor area, between both Phases, from roughly 12,561 sf² to 17,097 sf². This is approximately a 4,536 sf² increase in the total floor area that was planned in 2017. The proposed increase in size was not part of the original 1 stall per 250 sf² parking ratio approved and effectively impacts the development's compliance with current City Code parking requirements.

The proposed size of the project, the required parking ratios, the limited parking capacity within the development, the limited access points to the development, the size of the two properties, and the existing and future uses expected within the development have Staff concerned that the project is not adequately planning for the current & future parking needs of the development. Presently, the existing uses of Phase 1 operate polar to each other's operation hours; however, this is expected to change once additional businesses with "daytime" hours (similar to Almond Dental) locate into either Phase/building.

Staff shares the same concerns expressed by the Planning Commission and surrounding community in regards to the development's existing issue with parking and access. Although no official code enforcement complaints have been submitted, the City did receive resident testimony during the September 12, 2023 Planning Commission meeting (Attachment E). The testimony speaks to the concern that the existing parking lot inadequately provides for the uses in Phase 1. Staff must acknowledge the negative concerns received and consider how Phase 1 is currently impacting the surrounding residents. Staff is unable to support Phase 2 if it will further amplify the negative impacts expressed and currently experienced by surrounding residents.



It should be noted that there may be some scenario(s) where the development's 64 parking stalls adequately provide for the uses of the development. There may be an outcome where both Phases are fully occupied, parked according to the ratios required in City Code, and meet at least the minimum requirement. However, it should also be noted that Staff does not have enough information to discuss what may and may not be possible in either Phase regarding parking requirements and uses in the future.

Staff has reviewed the known facts, and has determined that the development continues to have an unresolved parking issue.

Conclusions:

The application does not satisfy the requirements of City Code that constitute the Standard of Approval for this application. These requirements are listed as follows: [§ 17.60.020.F "C-N Zone Parking & Access"](#), City Code [§ 16.24.020.A "Site Plan Review"](#), City Code [§ 16.26.040 "Parking Ratios"](#), and City Code [§ 16.26.030.A "Parking Standards"](#).

As with any application for development, it is the Applicant's and/or the Property Owner's burden of proof to demonstrate that the development has adequately planned for the existing and future business uses that are occupying or will occupy the development, and the associated parking required. Staff concludes that the Applicant has not met this burden of proof.

Recommendation:

Staff recommends denial of the application.



PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

All proposed commercial, office, industrial, multi-family dwelling or institutional developments and alterations to existing developments shall meet the site plan review requirements outlined in City Code § 16.24 "Site Plan Review", and the requirements of the individual zone in which a development is proposed. All provisions of City Code Title 16, Title 17, and other City requirements shall be met in preparing site plan applications and in designing and constructing the development. Building permits may not be obtained nor shall any site work be performed prior to site plan approval.

Motion Ready:

I move that the Planning Commission deny:

1. File PLSPR202400093, New Two-Story Commercial Building Site Plan "Almond Dental Phase 2"

Alternatives:

1. Approve the application as proposed
2. Approve an amended application with or without approval requirements
3. Schedule the application for a decision at some future date

SUPPORTING MATERIALS

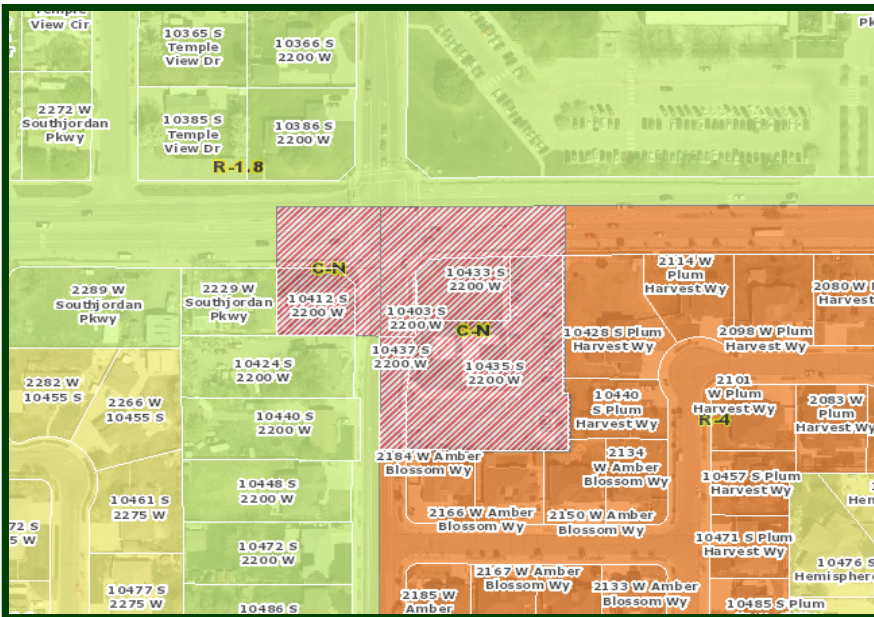
1. Attachment A, Location, Current Zoning & Land Use Map
2. Attachment B, Phase 2 Site Plan & Subdivision Plat
3. Attachment C, Phase 2 Elevations & Floor Plan Renderings
4. Attachment D, 2017 Phase 1 Approval for Existing Building
5. Attachment E, Preliminary Subdivision Staff Report & Planning Commission Minutes
6. Attachment F, Letter to Applicant & Owner regarding parking



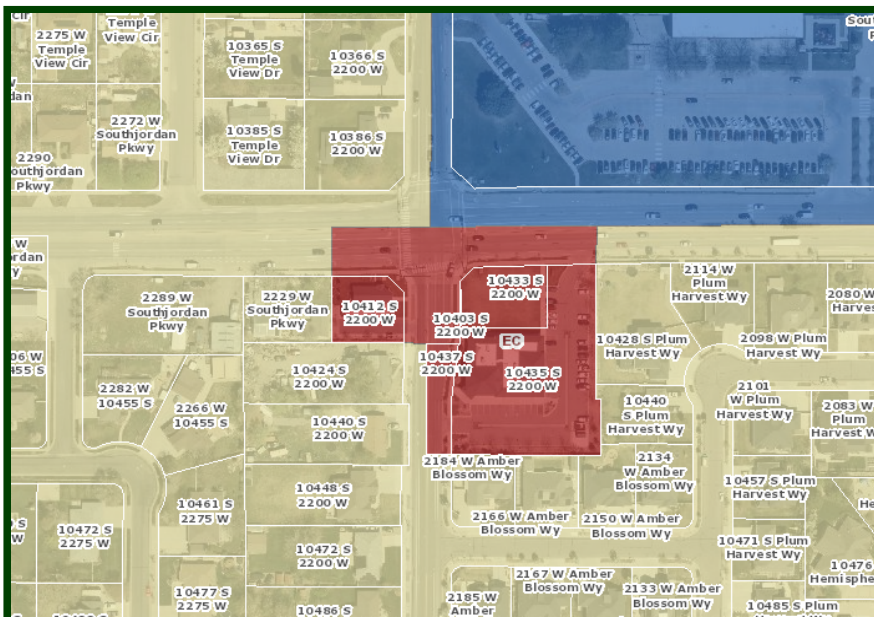
Attachment A



Location Map



Current Zoning Map

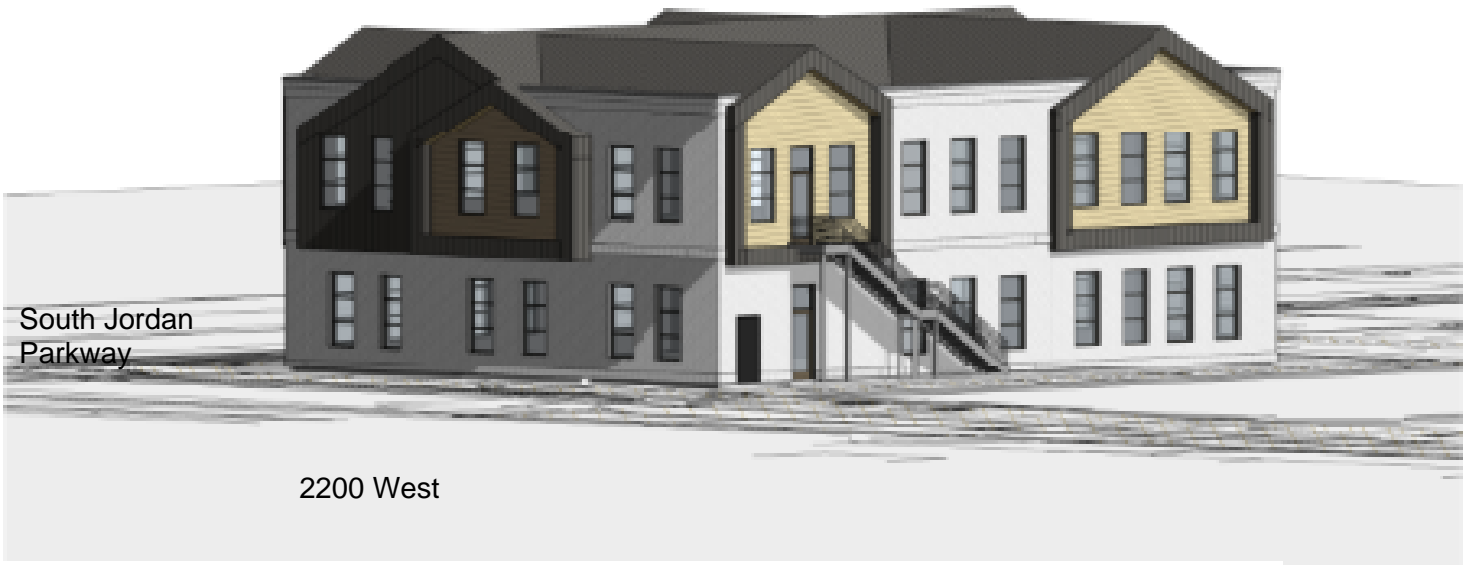


Future Land Use Map

Location, Current Zoning, & Land Use Map



View of Phase 2 looking South-West towards 2200 West



View of Phase 2 looking North-East towards South Jordan Parkway and Bingham High School

LEVEL 1

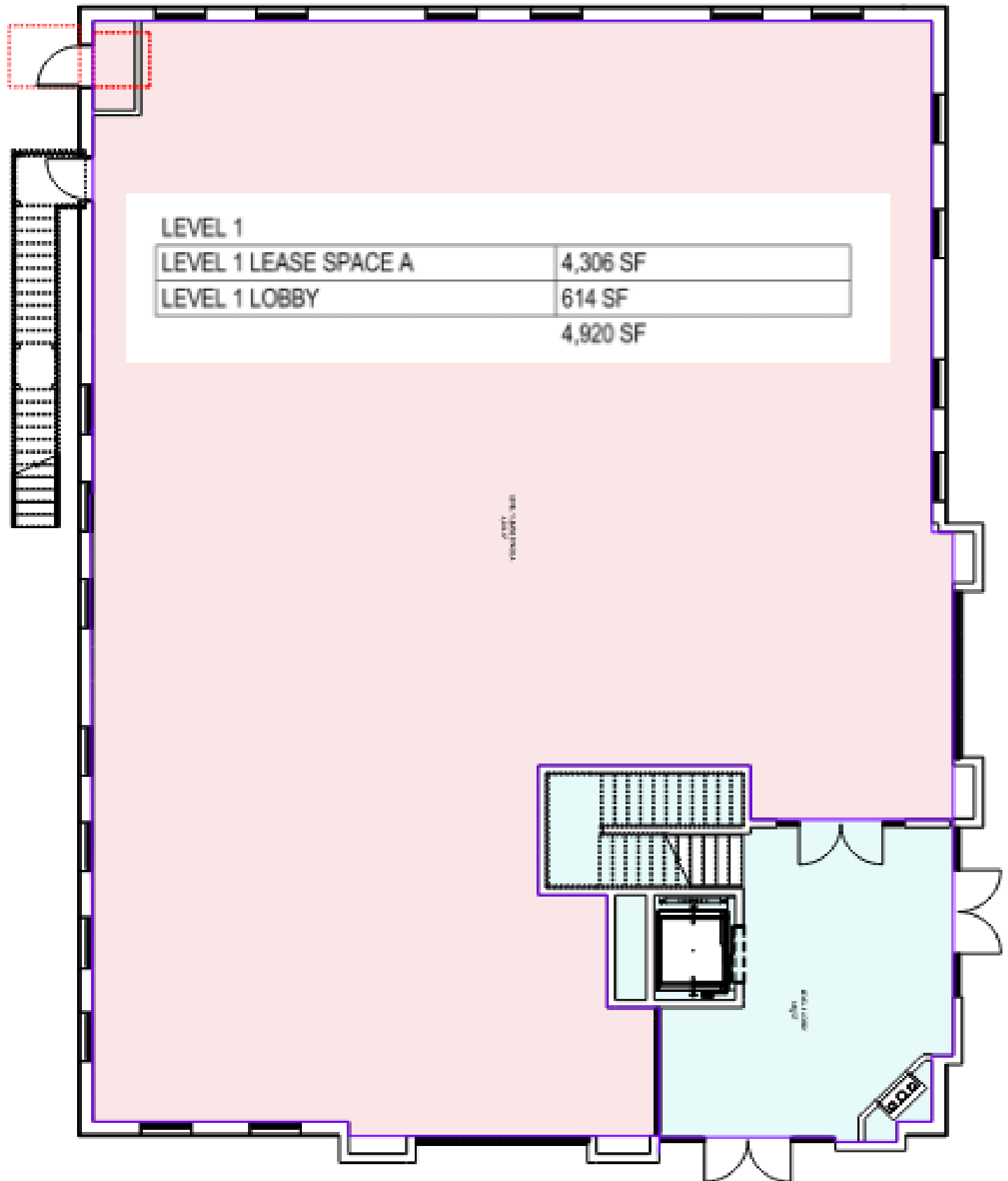
LEVEL 1 LEASE SPACE A	4,306 SF
LEVEL 1 LOBBY	614 SF
	4,920 SF

LEVEL 2

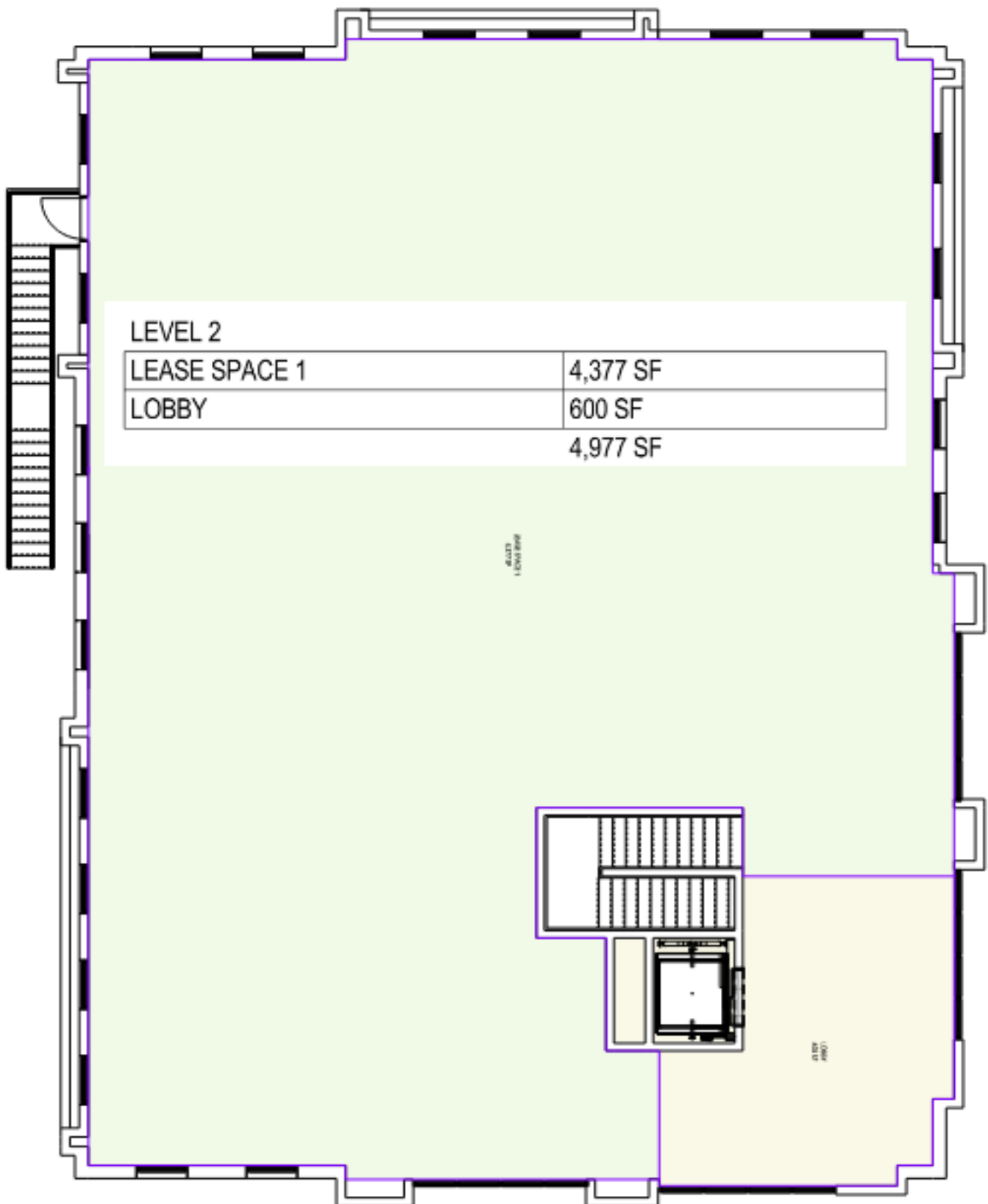
LEASE SPACE 1	4,377 SF
LOBBY	600 SF
	4,977 SF

TOTAL 9,897 sf² Total Floor Area

1st Level



2nd Level

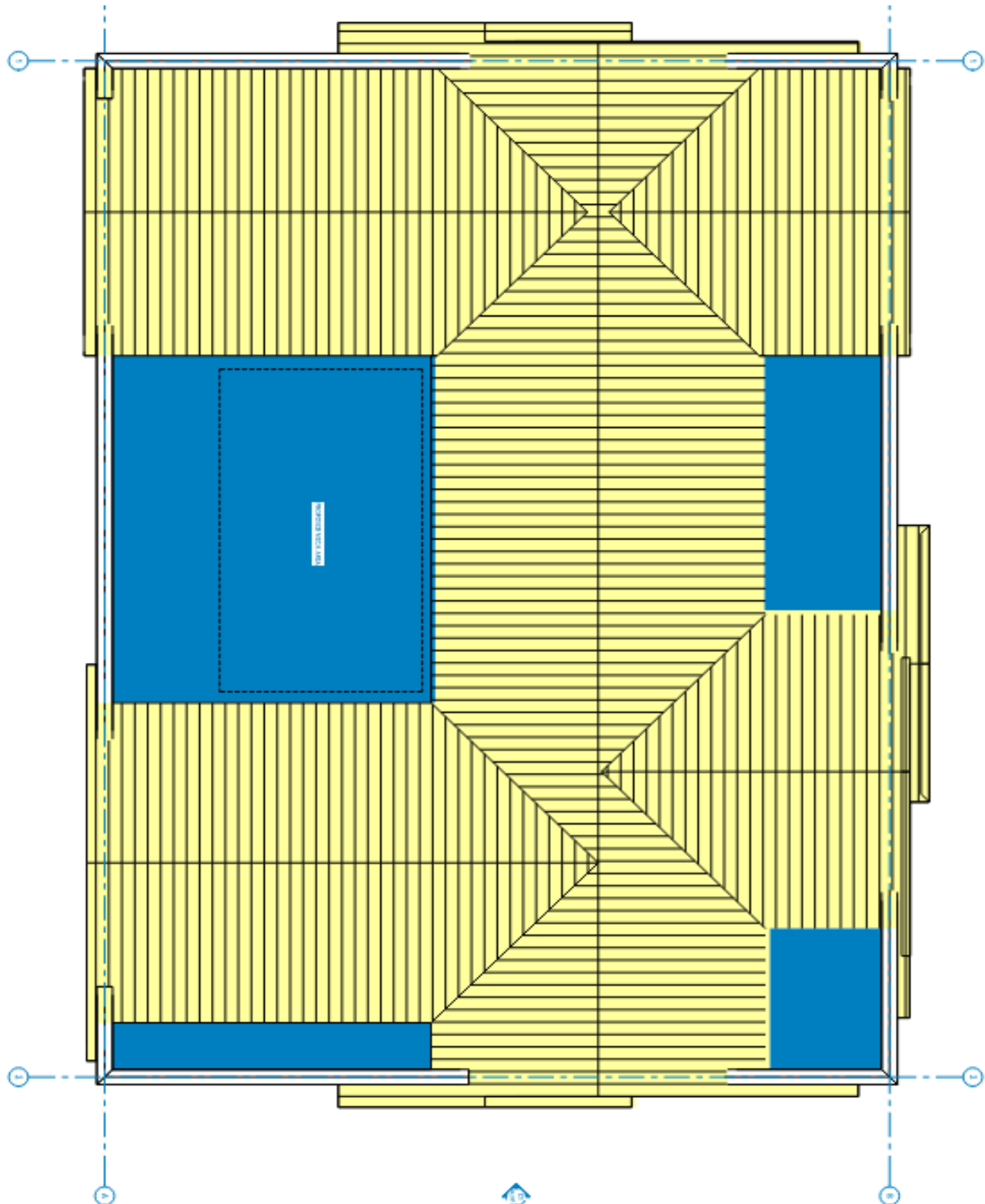


ROOF PERCENTAGE BREAKDOWN

PITCHED ROOF (YELLOW): 4,168 SQ/FT 80%

FLAT ROOF (BLUE): 1,074 SQ/FT 20%

TOTAL ROOF SQ/FT: 5,242 SQ/FT

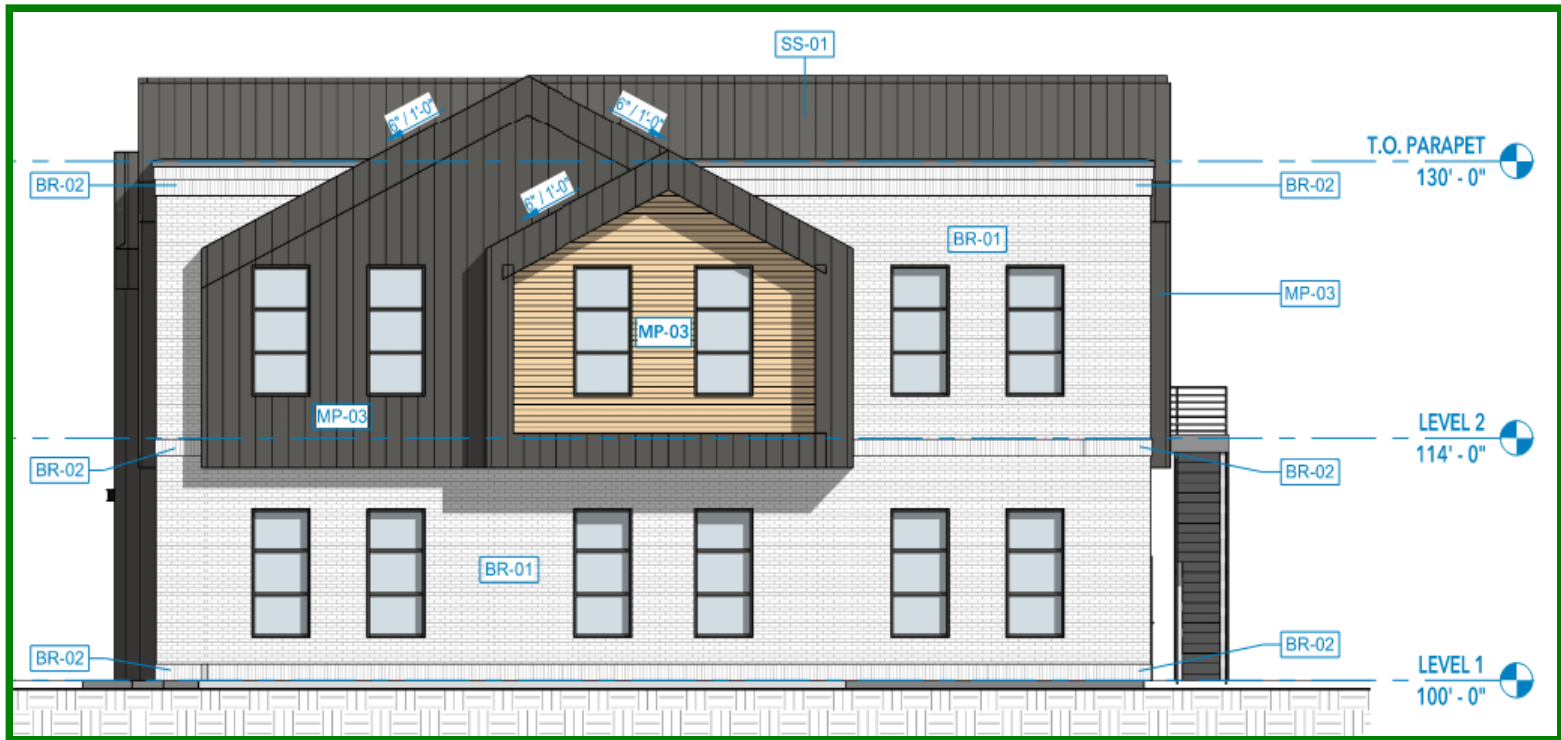




North Elevation



East Elevation



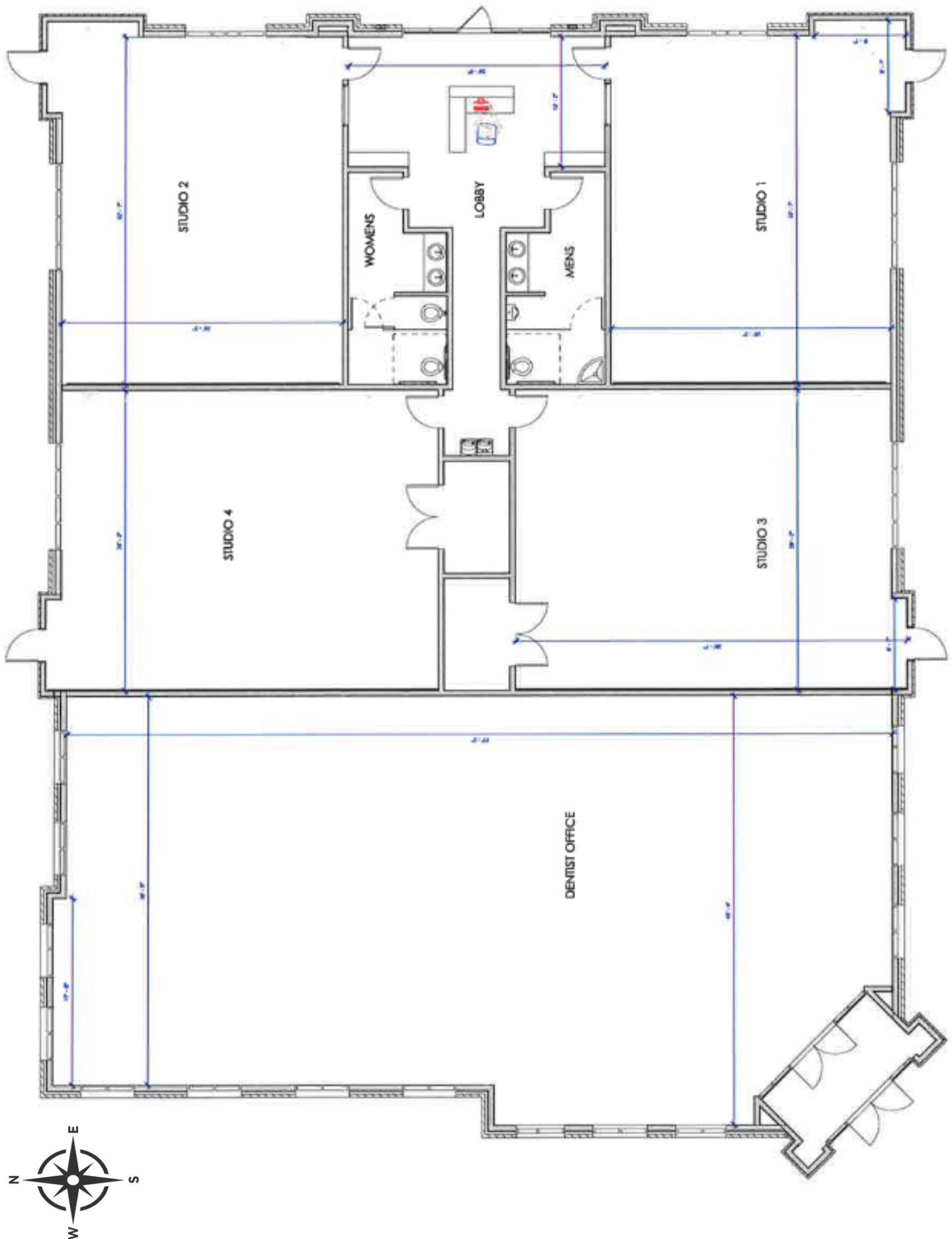
South Elevation



West Elevation



The site plan shows a rectangular area divided into two main sections. The upper section is labeled 'PHASE 2' and is shaded with a light gray background. The lower section is labeled 'PHASE 1' and is shaded with diagonal hatching. A north arrow is located in the bottom right corner of the plan.





North Elevation



East Elevation



STONE: BORAL - COUNTRY LEDGESTONE
COLOR: ECHO RIDGE



BRICK: INTERSTATE 2-1/4" MODULAR
COLOR: PLATINUM



BOARD AND BATTEN
COLOR: SHERWIN WILLIAMS SNOWBOUND



STUCCO
COLOR: SHERWIN WILLIAMS NETWORK GRAY



STOREFRONT
COLOR: CLEAR ANODIZED ALUMINUM



BANDING VENEER:
MELTONSTONE 85-05 CAST STONE



South Elevation



West Elevation



STONE: BORAL - COUNTRY LEDGESTONE
COLOR: ECHO RIDGE



BRICK: INTERSTATE 2-1/4" MODULAR
COLOR: PLATINUM



BOARD AND BATTEN
COLOR: SHERWIN WILLIAMS SNOWBOUND



STUCCO
COLOR: SHERWIN WILLIAMS NETWORK GRAY



STOREFRONT
COLOR: CLEAR ANODIZED ALUMINUM



BANDING VENEER:
MELTONSTONE 85-05 CAST STONE



*Images of the existing Phase 1 building, identified on this page, were sourced from Google Maps street view, last updated July 2025. This page prepared August 2025.

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 09/12/2023

Issue: MINERS COVE NORTH
PRELIMINARY SUBDIVISION PLAT
Address: 10435 S. 2200 W.
File No: PLPP202300048
Applicant: Jeffrey Almond

**Submitted by: Andrew McDonald, Planner I
Jared Francis, Senior Engineer**

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** the Miners Cove North preliminary subdivision plat, File No. PLPP202300048.

ACREAGE:	Approximately 1.21 Acres
CURRENT ZONE:	Commercial-Neighborhood (C-N)
CURRENT USE:	Commercial Office
FUTURE LAND USE PLAN:	Economic Center (EC)
NEIGHBORING ZONES/USES:	North – Residential (R-1.8) / Bingham H.S. South – Residential (R-4) West – Residential (R-1.8) East – Residential (R-4)

STANDARD OF APPROVAL:

Once all application requirements have been met, redline corrections made, revised plans and plat submitted and City staff approval given, the preliminary subdivision plat application will be scheduled on the Planning Commission agenda for a public hearing at which public comment will be taken. Notice of the public hearing shall be provided in accordance with chapter 16.04 of this title. The Planning Commission shall receive public comment at the public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the project does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application. (Ord. 2007-01, 1-16-2007)

City Code § 16.10.060

BACKGROUND:

The applicant is requesting that the Planning Commission approve a preliminary subdivision plat for the Miners Cove North subdivision located at 10435 South 2200 West. The property currently has an existing multi-tenant space building that was developed through a Site Plan

application in the early 2000s. The Record of Survey included shows the existing development of the property.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The subject property meets City Code requirements of the Municipal Code.
- The project meets the sewer and the culinary water requirements.
- Fencing will include an existing 6' precast masonry fence along the south and east boundaries.
- No landscape improvements are required with this project.
- The subdivision will use existing access off South Jordan Parkway and 2200 West.
- When Lot 2 develops, it will require a site plan application be submitted and approved by the Commission before building permits can be applied for.

Conclusion:

- The proposed preliminary subdivision plat application meets the City Code requirements and as such should be approved.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the proposed Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Location Map
- Current Zoning / Future Land Use Map
- Record of Survey
- Preliminary Subdivision Plat

Andrew McDonald
Andrew McDonald (Sep 5, 2023 15:46 MDT)
Andrew McDonald
Planner I, Planning Department

Brad Klavano
Brad Klavano (Sep 5, 2023 16:40 MDT)
Brad Klavano, P.E.
Director of Engineering Services

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
September 12, 2023**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Trevor Darby, Commissioner Steven Catmull, Commissioner Laurel Bevans, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, GIS Coordinator Matt Jarman, IS Tech Phill Brown, Meeting Transcriptionist Diana Baun, Planner Andrew McDonald

Others: Jamie Mansouri, Troy, Todd Braithwaite, Rod Anderson, Marilyn Anderson, Jeff Almond, Kenyon Clark, Neil Smith, Travis Hiatt, Bart Hoenes, Betsy Hoenes, Lori Howa, Brent Howa, Lucynthia Rockwood, Jared Osmond, Devan Hatch, Josh Hatch, Mili Pioquinto, Kal Robbins, Tyler Robbins

Absent:

**6:30 P.M.
REGULAR MEETING**

A. WELCOME AND ROLL CALL – *Chair Michele Hollist*

Commissioner Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve tonight's agenda as published. Chair Hollist seconded the motion; vote was unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. August 22, 2023 Planning Commission Meeting Minutes

Commissioner Darby motioned to approve the August 22, 2023 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion. Vote was unanimous in favor.

D. STAFF BUSINESS

City Planner Greg Schindler shared that Commissioner Aaron Starks has resigned from the Planning Commission via email to the Mayor.

Chair Michele Hollist asked about training and staff shared that it is still on the schedule and will probably be at the end of the meeting.

E. COMMENTS FROM PLANNING COMMISSION MEMBERS - *None*

F. SUMMARY ACTION - *None*

G. ACTION - *None*

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. MINERS COVE NORTH PRELIMINARY SUBDIVISION PLAT

Address: 10435 S. 2200 W.

File No.: PLPP202300048

Applicant: Jeffrey Almond

Planner Andrew McDonald reviewed background information from the Staff Report and noted there was an email received as public comment from a resident (Attachment A).

Chair Michele Hollist asked to clarify the parking ratios.

Planner McDonald responded that, based on the current floor space of the existing building, there are only five excess parking spots. With the dance academy, they could also calculate the parking based on the seats in the lobby.

Chair Hollist asked about permitted uses in the zone.

Planner McDonald responded that the Commercial-Neighborhood Zone would permit a daycare, another dental or medical clinic, an office, personal services, professional services, general retail and instructional training. It would also allow, with a conditional use, a gas station, a bank or credit union, lodging, telecommunication utilities, animal services, light services and repair, churches, public safety, community services and restaurants.

Chair Hollist invited the applicant up to speak.

Jeffrey Almond (Applicant) said that regarding the parking issue, he has been issuing parking permits to the high school over the last five years with at least 30 parking spots being rented out each year; they have never had an issue with parking, even with those spots being used.

Chair Hollist asked if he knew what might be going into the new building.

Mr. Almond responded that the dance studio is inquiring about more space, and he also has been contacted by a daycare/minor school which subleases from the dance studio one day a week from 9:00 am to about 3:20 pm.

Chair Hollist asked if they would be able to accommodate a drive through drop-off and pick-up situation with the current layout.

Mr. Almond responded no, that's something he would have to look through with the planning department in the future. There were some issues in the beginning, but he has talked to the school and they appear to have resolved that. They manage it very well in the morning with someone standing at the 2200 W entrance, allowing only a small amount of cars in at a time to pick up or drop off a child and leave before allowing more cars. This prevents a long line blocking his patients, and it has never been an issue.

Chair Hollist noted that when driving by the dance classes appear to spend time out on the grass and asked for more information on that.

Mr. Almond responded it's not part of their class, he believes they go out there when they take a break; they have never held a class out there, it just gets a little crowded inside.

Chair Hollist asked if he knew the number of chairs in the dance studio's lobby.

Mr. Almond responded they have a number of benches, maybe enough for 15-20 people; there is also seating in each of the four studios.

Commissioner Nathan Gedge asked if the applicant would be agreeable to eliminating or rescinding the leases of parking spots to the high school students down the road.

Mr. Almond responded yes, saying that they have 33 leases this year, but he keeps track and there are usually only about 18-22 spots used per day.

Commissioner Laurel Bevans asked about a possible timeline for putting in the new building.

Mr. Almond responded there is not a timeline, the dance studio would like to have it done by next August or September if they commit to the space.

Chair Hollist opened the public hearing for comments.

Todd Braithwaite (Resident) – I am one of the houses behind this property, and this is probably just my ignorance, but is part of this property being sold off or just creation of a new building with the existing owner owning the entire property plus buildings? The current businesses seem to work very well with the community. The dance studio did have an activity out on the grass the other day that he saw and he thought it would be a shame when that's gone.

Marilyn Anderson (Resident) – our backyard backs up to Mr. Almond's property and I have to say he has been a great neighbor for several years. He has landscaped and it is beautiful. We do have some concerns about the smallness of the parking lot; I think he is being very optimistic about that as what we have seen from our backyard when the preschool is on, even when the dance studio is on, the cars are backed up down 2200 W and into our neighborhood. I have seen more than five cars in that parking lot dropping kids off, so I guess we have a concern about that. We absolutely have a concern about what will be in there. It is our neighborhood, he doesn't reside there, he works there, so we hear tattoo parlor and gas station and that concerns us as neighbors. For us, it would depend on what is there, but I will say he has been a great neighbor and we have enjoyed having it behind us, but I do think there is some issues with the parking that we aren't being realistic about.

Bart Hoenes (Resident) – When this was presented originally, they did mention that the plan was to put up another building there and it sounds like the building is being planned so that it will be the same sort of aesthetics and structure as the original one, which I think is very nice. I also did not know whether this was a sale of property to someone else or not because of how it was worded as being subdivided; I would also like that cleared up. I want the council to know I would be very opposed to a tattoo parlor, a gas station, a restaurant in this area; I don't think that's very appropriate for there. Do you know what the ordinances are on lighting that, the amount of light put out by commercial structures in a neighborhood area? It is quite bright all night, so I hope the new building doesn't add additional brightness to that, and I would prefer to see what is there toned down a bit. The use of the current property is just fine and Mr. Almond has been a good neighbor.

Chair Hollist closed the public hearing. She asked staff to address the concerns shared by the residents.

Planner McDonald shared that regarding lot ownership, staff is unsure if the applicant is setting himself up in the future to potentially sell off and recuperate some costs since this is creating two lots which would allow the owner to sell one of those lots in the future. Parking is based upon a ratio assigned to the use, so it would depend on who wants to come in with the tenant improvement permits and what would need to be done there. Based upon the description of the dance studios seating, the city would be able to reduce their parking requirement to one spot per four seats, opening up more spaces for all units on the property. The recording of the plat would establish shared access between the two existing points, which wouldn't change. There is no shared parking agreement in place, they still need to meet the requirements for all uses on the site.

Chair Hollist asked how many parking spots this new subdivision will have associated with it.

Planner McDonald responded there are currently 64 spots, with roughly 10 for the dentist's office and based on the floor ratio 49 for the dance studio; however, that could be reduced if staff got an exact number of seats on the inside. In terms of the new building, those numbers would depend on the use and that will be looked at in the future. Right now, the city hasn't been receiving complaints on activity at the location to cause concerns; if that changes, staff would

circle back to the issue and possibly dig deeper into the daycare operations and plans they have to handle those situations as if they were going through the CUP process.

Chair Hollist asked, without a shared parking agreement, how do they determine which property owns which spots.

Planner McDonald responded that staff only looks at the ratio in relation to the use.

City Planner Schindler noted that it appears on the subdivision line that goes across the property there will be about 14 parking spaces on the new lot to the north, the rest will remain on the south lot. Without an agreement, technically the owner of the south lot could prohibit the owner of the new lot use of those parking spaces. He is unsure if that line includes the current handicapped spaces.

Chair Hollist noted that it appears with the changes, the current building will no longer meet their parking requirements since they currently only have five extra spaces.

Planner Schindler responded that if that is the case, then the current building will have to maintain the specific number of spaces required and subdivision could probably not occur without a shared parking agreement.

Assistant City Attorney Greg Simonsen explained the laws defining a subdivision. He also noted that if the same person owns both lots in this subdivision, they can allow parking across the property lines at any time because they own both.

Commissioner Trevor Darby asked if the owner were to develop this and in the future sell one of the lots, would they need to sign a shared parking agreement or each have their own assigned parking spots based on the subdivision.

Attorney Simonsen responded that either option would be correct.

Commissioner Steve Catmull asked if the discussion of potential uses is a normal part of a subdivision review at this stage. If they are here to basically divide this lot into two, creating two separate tax lots, can they encompass the previous operating business requirements into the subdivision.

Planner McDonald responded that the application satisfies the requirements of a subdivision. What Commissioner Catmull described sounds more like what they would discuss when they reached development. Most of what Planning, Building and Engineering look at have already been taken into account with the first site plan. With a smaller building anticipated on the second lot, depending on that application, they would start to look at how the site looks in relation to what is needed. The final subdivision site plan would come back to the planning commission and city oversight on the building permit for the new building.

The commission discussed the issues with parking and that it's the biggest complaint received from residents, asking staff if they were aware that a business was queuing onto 2200 W and around the corner into the neighborhood.

Deputy City Engineer Jeremy Nielson responded he has not received any related complaints.

Chair Hollist asked staff to explain the steps for residents to go about complaints with traffic. Engineer Nielson responded that with traffic concerns, residents are always welcome to reach out to Engineering, him specifically, and he can look into it. The traffic committee ultimately reviews traffic issues and would respond to any concerns.

Commissioner Gedge asked if staff had any concerns for high school drop-off and pick-up times and access to the city streets in that area.

Engineer Nielson responded no.

Commissioner Catmull asked if the commercial site plan can encompass more than one subdivision.

Planner McDonald responded it would be for how they intend to develop Lot 2, but staff would be able to ask the applicant how they intend to incorporate into the existing lot to get a bigger picture.

Commissioner Catmull asked if Lot 1 was currently undeveloped but already subdivided, and this came before them, could the site plan for Lot 2 include the details for Lot 1. This was originally planned to be subdivided, but the site plan for the Lot 1 area had certain things addressed for the entire property and he wonders if they have to go back and compare to that original site plan when the site plan comes in eventually for Lot 2.

Planner McDonald responded that usually it's one site plan per lot or pad, sometimes there is a larger discussion with the applicant depending on the intended uses. If this was still residential property this would be done differently, like a circumstance where someone owns two adjoining lots and wants to build homes next to each other.

Chair Hollist asked for information on lighting ordinances, and a confirmation that Lot 1 had their lighting approved and measured to meet the city requirements.

Planner McDonald went over the code requirements, and all of that was approved back in 2017; no additional lighting is expected. The only changes anticipated with the site plan are an additional fire hydrant at this time to service the two buildings.

Commissioner Gedge noted that the current lot has what was originally approved on the landscape plan and green space. However, with subdividing this and getting rid of the grass field he asked if that eliminates the required city ordinance for the existing building in regards to open space.

Planner McDonald responded that they should both still meet requirements as none of the street trees in park strips or landscape in the planter beds on site are changing, nor are they changing in the area the building would go. The site was developed as if the building was going to be there with no additional changes needed.

Commissioner Gedge asked if the current grass field is a flood retention basin.

Engineer Nielson responded no.

Chair Hollist asked if there was any sort of maximum coverage limit in this zone, like there is in residential zones.

Planner Schindler responded that there is no maximum coverage limit on commercial zones. There are certain setbacks and parking space requirements that have to be met, but otherwise there are no limits.

The commission and staff discussed parking requirements and possible future issues with approving this subdivision without a current shared parking agreement.

Commissioner Gedge motioned to approve File No. PLPP202300048, Preliminary Subdivision Plat, based on this evening's discussion, staff report and testimony from the public with the following conditions: That all South Jordan City Requirements pertaining to site plan, parking regulations and standards are met.

Commissioner Darby noted that this is a subdivision application, not a site plan.

Commissioner Gedge amended his motion to replace "site plan" with "subdivision," and amend the conditions to read only that all South Jordan City requirements are satisfied. Chair Hollist seconded the motion.

Roll Call Vote

Yes - Commissioner Gedge

Yes - Chair Hollist

Yes - Commissioner Catmull

Yes - Commissioner Darby

Yes - Commissioner Bevans

Motion passes 5-0, unanimous in favor.

Attorney Simonsen addressed the residents, noting their concerns voiced about what type of business might locate here. That was not an issue for tonight, as that is a zoning issue regarding what is permitted in each zone. This is a Commercial-Neighborhood Zone, and the public can go online under Title 17 in the city code to see the lists of permitted uses for each zone.

Planner McDonald added that specifically Title 17.18.020 outlines what is permitted by right and by CUP in each zone. Additionally, Title 17.18.060 covers the definitions of those uses.

Chair Hollist highly recommended a parking and traffic plan be included in the site plan application in the future.

H.2. KINGS LANDING PRELIMINARY SUBDIVISION PLAT

Address: 10828 S. 1055 W.

File No.: PLPP202300080

Applicant: Devan Hatch

Planner Andrew McDonald reviewed background information from the Staff Report.

Commissioner Nathan Gedge asked why they were pushing to get this on the agenda tonight.

Planner McDonald responded that this was a joint decision by the city engineer and the director of the planning department, to present the application with a list of the specific requirements that still need to be met.

Commissioner Gedge expressed his concerns with having this public hearing while still having issues that need to be resolved.

Chair Michele Hollist and Commissioner Bevans shared the same concerns. Chair Hollist asked a few specific questions about the grading and Planner McDonald was able to respond.

Commissioner Laurel Bevans asked about the type of retention basin on another subdivision of the applicant's property.

Deputy City Engineer Jeremy Nielson responded it is an open pond.

Commissioner Bevans asked about the other subdivision again, and where that will come off of 1055 W when it's developed.

Planner McDonald responded that the basin would require an easement with the owner, which would detail who is responsible for what infrastructure. Tonight the staff report is addressing the parcels on 10827 South only. The property lines have been adjusted and the top part of 10827 South has a 20 foot wide access, with the lot opening up in the back, which makes the bottom lot a bit wider to help with the development of the other properties. There will only be one home on each of those two lots.

Commissioner Bevans asked for the anticipated duration of construction for the road being closed and a temporary access provided.

Planner McDonald believes it will be two to three weeks.

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 12/12/2023

Issue: MINERS COVE NORTH
PRELIMINARY SUBDIVISION PLAT
Address: 10435 S. 2200 W.
File No: PLPP202300048
Applicant: Jeffrey Almond

Submitted by: Andrew McDonald, Planner I
Jared Francis, Senior Engineer

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** the Miners Cove North preliminary subdivision plat, File No. PLPP202300048.

ACREAGE: Approximately 1.21 Acres
CURRENT ZONE: Commercial-Neighborhood (C-N)
CURRENT USE: Commercial Office
FUTURE LAND USE PLAN: Economic Center (EC)

NEIGHBORING ZONES/USES: North – Residential (R-1.8) / Bingham H.S.
South – Residential (R-4)
West – Residential (R-1.8)
East – Residential (R-4)

STANDARD OF APPROVAL:

Once all application requirements have been met, redline corrections made, revised plans and plat submitted and City staff approval given, the preliminary subdivision plat application will be scheduled on the Planning Commission agenda for a public hearing at which public comment will be taken. Notice of the public hearing shall be provided in accordance with chapter 16.04 of this title. The Planning Commission shall receive public comment at the public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the project does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application.

City Code § 16.10.060

BACKGROUND:

The applicant is requesting that the Planning Commission approve a preliminary subdivision plat for the Miners Cove North subdivision located at 10435 South 2200 West. The property currently has an existing multi-tenant space building that was developed through a Site Plan application in the early 2000s. The Record of Survey included shows the existing development

of the property. The unit is currently occupied by a Dental Office (medical clinic use) and a studio dance academy (a recreation and assembly use).

The Commission voted to approve a preliminary subdivision plat in September 2023. The approval was to subdivide the existing property into two separate lots. The applicant is requesting to make changes to this approval.

The approved property line, between Lots 1 and 2, is a straight east-west line. The new property line reduces the size of Lot 1 to just include the grass area, and include the whole parking lot as part of Lot 1. When the final subdivision plat records, it will establish a shared parking, access, and stormwater agreement between Lots 1 and 2.

The applicant will, for the time being, retain sole ownership of both Lots after they are officially subdivided. Lot 2 will be developed into another commercial building with two-tenant spaces. One, or both, of these spaces will become the new location for the existing dental office.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Fencing will include an existing 6' precast masonry fence along the south and east boundaries.
- No landscaping or infrastructure improvements are required or proposed with this project application.
- The subdivision will use existing access off South Jordan Parkway and 2200 West. South Jordan Parkway is a right-in/right-out only access.
- A site plan application and new commercial building permit will be required to develop Lot 2.
- The existing site currently has 74 parking stalls. The existing dental office and dance studio require 26 parking stalls (22 and 4 parking stalls respectfully).
- The dance studio has seating for 16 persons. City Code §16.26 allows the parking requirement to be reduced to one parking stall per four known seats.
- Shared-Parking Agreements allow for each parking stall to be shared and utilized non-exclusively by every tenant space in the project. Projects are still required to meet City Code in regards to the required parking stalls for each identified use in the project.

Conclusion:

- The proposed preliminary subdivision plat application meets the City Code requirements and as such should be approved.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the proposed Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Location Map
- Current Zoning / Future Land Use Map
- Record of Survey
- Approved Preliminary Subdivision Plat from September 2023.
- Preliminary Subdivision Plat with requested changes.
- Public Mailing Notice

Andrew McDonald
Andrew McDonald (DEC 5, 2023 10:31 AM)
Andrew McDonald, AICP Candidate
Planner I, Planning Department

Brad Klavano
Brad Klavano (DEC 5, 2023 10:10 AM)
Brad Klavano, P.E.
Director of Engineering Services

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
December 12, 2023**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Steven Catmull, Commissioner Laurel Bevans, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, IS Systems Administrator Ken Roberts, GIS Coordinator Matt Jarman, IT Director Jon Day, Planner Damir Drozdek, Planner Andrew McDonald, Planner Miguel Aguilera, Meeting Transcriptionist Diana Baun

Absent:

Others: Connie Schreiner, Joan Harris, John Baranowsky, Bruce Devaul, Jackie Devaul, Ben Child, Mark Sontag, Gary Langston, Raymond Ellis, John Karas, Jeff Almond, Corey Middleton, Calvin Perfall, Darren Edman, Jason Treft, Samantha Waatti, Gil Osuna, Debbie Millet, Jeremy Starley, Ramona, David Babnigg – NORR, Debbie, Jennifer Andelin, Morgan Curtis, John Warnick, Greg Paling, Leonard Browning, Chad Lassig, Ryan Berry, Fred Lampropolous, Brady Olson, George Frio, Larry Sommer, Andy Grover, Rebecca Grover, Jason Quigley, Lynn Nelson, Tyler Ellis

**6:32 P.M.
REGULAR MEETING**

A. WELCOME AND ROLL CALL – *Commission Chair Michele Hollist*

Chair Hollist welcomed everyone to the Electronic Planning Commission Meeting.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve tonight's agenda as published. Chair Hollist seconded the motion; vote was unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. October 24, 2023 Planning Commission Meeting Minutes

Commissioner Bevans motioned to approve the October 24, 2023 Planning Commission Meeting Minutes as published. Commissioner Gedge seconded the motion; vote was unanimous in favor with Chair Hollist abstaining from the vote.

Planner Aguilera responded that it appears to be one of only a few lots on the street that remains agricultural, the rest are zoned as R-2.5 and R-1.8.

Commissioner Gedge asked to confirm there are no water issues with this property in relation to the rest of the adjacent subdivision.

Planner Schindler and Engineer Nielson responded that no, they have not heard of any.

The commission discussed potential wording for the motion regarding the current window and future windows. They asked the applicant if he was amenable to a requirement that all future windows on that side of the structure be opaque and fixed; he responded that he was agreeable to that.

Commissioner Gedge motioned to approve File No. PLCUP202300195, Conditional Use Permit, based on the staff report and discussion this evening; with a condition that all west side facing windows be opaque and stationary. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Motion passes 4-0, unanimous in favor.

H.5. MINERS COVE NORTH PRELIMINARY SUBDIVISION PLAT

Applicant: 10435 S 2200 W

File No.: PLPP202300048

Applicant: Jeffrey Almond

Planner Andrew McDonald reviewed background information from the Staff Report.

Chair Michele Hollist asked staff to address previous parking concerns, especially since the number of spots has changed.

Planner McDonald reviewed what parking is shown on the current application, as well as what would be required based on the current uses. There is a provision that allows the dance studio use to reduce its current required amount if staff can confirm seating inside the building. That was confirmed by both the property owner as the landlord and the tenant of the dance studio as having 16 seats, which allows a reduction to four parking stalls required for their use. There is still currently an excess of parking and it is anticipated that Lot 2 will have a similar size and use building, with potential relocation of the existing dental office into the new units, with another medical clinic use taking over the other space.

There was a discussion between the commission and staff about the new calculations regarding the number of cars estimated per seat in the dance studio versus the original calculation based on square footage.

Planner McDonald added that whatever parking allocation is given, future businesses moving into the space would have to have uses that agree with the number of parking stalls allowed.

Commissioner Nathan Gedge asked the City Council to reevaluate how this parking was factored in based on seating, rather than square footage, as there are issues with daycare traffic and other studios throughout the city. He also added that in the past, many of these spaces were being leased to Bingham students, which would cut into the capacity of these stalls during school hours. There were also concerns from residents regarding car stacking in the streets.

Chair Hollist invited the applicant forward to speak.

Jeff Almond (Applicant) – He is aware of comments regarding some of the parking issues. This is because the dance studio subleases to a charter school one day a week, on Wednesdays. During pickup around 3:30, instead of blocking the access to his patients and business, they have some of the parents park along 2200 West; sometimes that does leak into the neighborhood just south of the location. If that is a major issue he could ask the dance studio not to sublease to the charter school, which would eliminate that concern. Regarding parking, there has never been an issue, other than the charter school on Wednesdays as mentioned above. There has never been an issue in regards to the dance studio as they are in the evening, and the most cars he has ever counted in that parking lot has been 8-10 max; no one stays and watches their kids, it's actually not recommended by the owner of the dance studio. Regarding the 16 seats, the dance studio owner said they never fill those, so parents don't come to sit and watch for two hours during the classes. Parking has never been an issue, and that's why he helps with the parking issue at the high school by leasing out 30 parking spots. Even with that, there has never been a parking issue at the facility.

Commissioner Gedge asked if the applicant is confident that any information he receives is being passed all the way down to the school as the subleasee, as he is ultimately responsible as the owner of the property.

Mr. Almond noted that he should have put more requirements on the ability to sublease in his contracts, and he will make that crystal clear in the future that any subleasing that affects the parking and would cause overflow would not be allowed. He added that the subleasing will probably end in May; if they have the approval to build the additional building he will no longer be selling permits to the high school. He would also inform the dance studio owner, at that point, that due to the second building she would not longer be able to sublease to the charter school.

Commissioner Steven Catmull noted that parking requirements aren't part of a subdivision plat, those are addressed more during a site plan application and approval. To keep things focused tonight, he suggested tabling the parking discussion for a more appropriate application.

Chair Hollist opened the public hearing for comments; there were no comments and the public hearing was closed.

Commissioner Gedge motioned to approve File No. PLPP202300048, Subdivision Plat, based on the staff report, testimony and discussion presented this evening; subject to a shared parking agreement between the two properties on the current property, and recognizing the change in the lot line adjustment subject to IBC requirements.

Commissioner Catmull was unsure that they were able to include parking requirements as part of this motion since it is only for a subdivision plat, and whether they needed to include the reason for the lot line adjustment.

Commissioner Gedge amended his previous motion to approve File No. PLPP202300048, Subdivision Plat, based on the staff report, testimony and discussion presented this evening; subject to all South Jordan City requirements being met and recognizing the lot line adjustment presented this evening. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Motion passes 4-0, unanimous in favor.

**H.6. CONDITIONAL USE PERMIT FOR AN ANIMAL SERVICE USE IN
THE COMMERCIAL-CORRIDOR (C-C) ZONE**

Address: 10479 S Redwood Road

File No.: PLCUP202300194

Applicant: Samantha Waatti

Planner Andrew McDonald reviewed background information from the Staff Report.

Chair Michele Hollist asked if there were limits on the kinds of animals allowed in this location.

Planner McDonald responded that that is specifically dog grooming services, and the applicant's representatives are available both online and in the chamber for questions.

Commissioner Nathan Gedge acknowledged the close proximity to a grocery store and asked if there were any health department concerns with that.

Planner McDonald responded no.

Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Kathie L. Johnson, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*

Attachment F



PH: 801.446-HELP @SouthJordanUT

September 4, 2024

Jeffery Almond, Property Owner/Applicant
3151 Alta Crest Drive
South Jordan, UT 84095
Drjalmond10@gmail.com

Corey Middleton, Principal Architect
Jordan Dejarnett, Jr. Project Manager
Mint Architecture
7585 S. Union Park Ave. Suite 220
Sandy, UT 84047
corey@designwithmint.com
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**RE: New Commercial Building Site Plan Application (PLSPR202400093)
"Almond Dental Phase 2"**

Dear Almond Dental Project Team,

While reviewing Phase 2, Staff again looked at the approval and documents provided in Phase 1. Phase 1 plans show the one multi-tenant commercial building with two suites, next to a future phase 2 building. This development was established, in the Phase 1 documents, as primarily a mixed retail and office use building. However, Phase 1 documents indicated that Suite 1 would be a medical dentist office/clinic use (Almond Dental) and Suite 2 would be a Recreation and Assembly Use (Empower Dance Academy). These uses are not considered retail or office as they are defined elsewhere in City Code §17.18.060. However, Almond Dental and Empower Dance Academy are still permitted uses in the Commercial-Neighborhood (C-N) Zone, and can continue subject to the other requirements of City Code.

As Staff has noted in the past two Notice of Revisions Letters, and in the previous subdivision process, one of the main issues associated with this application is Phase 1 and Phase 2 both complying with the minimum parking requirements of City Code. Phase 1 was required to provide at least 29-parking stalls. Ultimately, Phase 1 provided 64-parking stalls based on Phase

1 and Phase 2 being of equal size, height, design, and having Office and Retail uses. The uses in Phase 1 left 10-parking stalls remaining for Phase 2 and its uses.

Now that an application for Phase 2 has been officially submitted, Staff once again evaluated the minimum parking requirements required for both Phases. This review concluded that the application currently does not comply, and provided a Notice of Revisions Letter listing the corrections necessary for compliance.

The C-N Zone does permit Phase 2 to be different than the completed Phase 1. However, the larger suites in Phase 2 require additional parking than what is required for the same uses in Phase 1. Phase 2 would require 66-parking stalls in addition to what would be required for uses in Phase 1. Staff has been consistent to note that the application cannot be approved without enough parking available on-site for both Phases.

To meet City Code requirements, the design of Phase 2 would need to change by either possibly by reducing the height, eliminating the second floor, redesigning the internal layout, or contain only medical clinic/dental, retail, and office uses. The Empower Dance Academy is not defined as any of these uses. The Empower Dance Academy is required to provide the minimum parking stall per square footage number noted in City Code §16.26.040 for Recreation and Assembly uses.

Furthermore, the uses in both Phases will be restricted to permitted uses in the C-N Zone, which does exclude office and dental/medical clinic uses from being allowed in any building, in the C-N zone, that exceeds a building footprint of 5,000 sf². The City will not involve themselves in the leasing process between tenants and the landlord, but the City will deny the required business license applications if the associated use is not permitted and/or the minimum parking requirements for each use, in both Phases, cannot be adequately provided on-site.

Access to the referenced City Code Ordinances can be found by accessing the Planning Department webpage, or by accessing the South Jordan City Website to view the Municipal Code.

Respectfully,

A handwritten signature in black ink that reads "Andrew McDonald". The signature is written in a cursive, flowing style.

Andrew McDonald, AICP
Planner II, Planning Department